IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO. 834 OF 2006
IN
ARBITRATION PETITION NO. 104 OF 2006

Mr. Rakesh Ganpatrao Shirke] .. Appellant
(Ori.Petitioner)

Versus

1. M/s. Angle Capital and Debt Market Ltd. & Anr.] .. Respondents
] (Ori.Respdts.)

Mr. S.V. Masurkar for the appellant.

CORAM: R.M. LODHA, &
S.A. BOBDE, JJ.

DATED: 23RD NOVEMBER, 2006

P.C. :

. We heard Mr. S.V. Masurkar, the Advocate for the appellant and perused the impugned order.

2. That the appellant had signed the client-broker agreement is not in dispute. Before the arbitrator, the claimants produced the accounts maintained by them. Except the bald statement, the income-tax return and his own bank account, no substantial material/evidence was placed by the appellant sufficient to rebut the presumption about the correctness of the account books maintained in the

ordinary course of business by the broker.

3. In this view of the matter, the award passed by the arbitrator and the refusal by the learned single Judge in setting aside the award cannot be said to suffer from any error of law warranting interference by us.

4. Appeal is dismissed in limine.

Sd/-
[R.M. LODHA, J.]

Sd/-
[S.A. BOBDE, J.]